

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

REALTIME DATA, LLC d/b/a IXO,

Plaintiff,

vs.

MORGAN STANLEY, ET AL.,

Defendants.

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)
)
) Case No. 1:11-cv-6696-KBF
) 1:11-cv-6701-KBF
) 1:11-cv-6704-KBF
)
) JURY TRIAL DEMANDED
) ECF Case
)
)

**NOTICE OF JOINDER TO EXCHANGE DEFENDANTS' MEMORANDUM OF LAW
IN OPPOSITION TO REALTIME'S MOTION FOR LEAVE TO SUPPLEMENT THE
RECORD ON THE PENDING MARKMAN CLAIM CONSTRUCTION MOTIONS
(DOCKET NO. 624 IN CASE NO. 1:11-CV-6697)**

Defendants The Goldman Sachs Group, Inc., Goldman, Sachs & Co., Goldman Sachs Execution & Clearing, L.P., J.P. Morgan Chase & Co., J.P. Morgan Securities, Inc., J.P. Morgan Clearing Corp., Morgan Stanley, Morgan Stanley & Co, Incorporated, BNY ConvergeX Group LLC, BNY ConvergeX Execution Solutions LLC, HSBC Bank USA, N.A., and HSBC Securities (USA), Inc. (collectively, “Bank Defendants”) respectfully join the Memorandum of Law in Opposition to Realtime’s Motion for Leave to Supplement the Record on the Pending Markman Claim Construction Motions filed by the Exchange Defendants in *Realtime Data, LLC v. CME Group, Inc., et al.*, Consolidated Case Nos. 1:11-cv-6697 (Dkt. No. 624), 1:11-cv-6699, and 1:11-cv-6702.¹ For the reasons presented in the Exchange Defendants’ Opposition, Bank Defendants respectfully request that the Court deny Realtime’s Motion for Leave to Supplement.

¹ The Bank Defendants understand that a similar notice of joinder will be filed by the Data Provider Defendants in *Realtime Data, LLC v. Thomson Reuters, et al.*, Consolidated Case Nos. 1:11-cv-6698, 1:11-cv-6700, and 1:11-cv-6700.

Dated: May 18, 2012

Respectfully submitted,

/s/ Daniel A. DeVito

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By: /s/ M. Scott Fuller (with permission)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule 5.2 via the Court's CM/ECF system on May 18, 2012, and, as such, was served on all counsel of record.

/s/ Daniel A. DeVito

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